

**MINUTES OF THE PUBLIC HEARING
LAKE COUNTY SUBDIVISION REGULATIONS
March 27, 2007**

Mr. Siegel, Vice Chairman, announced the Public Hearing as being opened at 6:30 p.m. and read the Notice of Public Hearing that was posted in the News Herald on February 23, 2007 and March 11, 2007.

NOTICE OF PUBLIC HEARING

Notice of public hearing is hereby given to amend the Lake County, Ohio Subdivision Regulations for the unincorporated areas of Lake County to be held at 6:30 p.m. on March 27, 2007 at 125 East Erie Street, Painesville, Ohio in accordance with Sections 711.10 and 711.101, of the Ohio Revised Code to consider amendments to the Lake County Subdivision Regulations.

Such amendments pertain to revisions to Article I, Section 4, H & I, Article H, Article III, Section 10, B, D, & E.

These are on file in the Lake County Planning Commission office, 125 East Erie Street, Painesville, Ohio, open 8:00 a.m. to 4:30 p.m., Monday through Friday, (except holidays) or at www.lakecountyohio.gov/planning.

*Timothy C. Brotzman, Chairman
Darrell C. Webster, Secretary
February 23, 2007
March 11, 2007*

Mr. Webster explained the proposed changes to the Subdivision Regulations were available to the public for review for thirty (30) days.

Mr. Radachy explained the changes to the Lake County Subdivision Regulations as follows:

- Article I, Section 4 – Originally, the requirement was made to set permanent monuments for subplot corner and center line monuments before the plat is recorded. This language has been changed to take into consideration that the corner alignment shall be done before a subdivision goes into maintenance as opposed to being recorded. We are also requiring the engineer/surveyor to show a line item in the construction estimate showing how much it cost to pin the corners and center line so, if a surveyor walks away, etc., the County Engineer has money available to hire another surveyor to set the monumentation for the subdivision.
- Article II – Two new definitions for personal recreation and agriculture need to be set for lot splits.
- Article III, Section 10 – Lot Splits – Instead of allowing for a lot split by deed and legal description in a major platted subdivision, they would have to re-subdivide and do another plat. The plat would not require the necessity of sureties unless there was some type of improvement also being done. The County Commissioners' signatures would not be required unless there was something being given to them for an easement or right-of-

way for public purposes.

Mr. Radachy further explained Article III, Section 10 as follows:

- B 1 – Excludes the right-of-way width at the end of temporary cul-de-sacs meant for the future extension of the right-of-way from being used as frontage along an existing improved public street.
- B 3 – Division of land shall be formed by re-subdivision of land per deed and legal description.
- D 6 - Added re-subdivision of sublots. Any division of a subplot from a recorded plat into two or more lots of record shall be created by a plat using the Lake County Subdivision Regulations and ORC 711.10. Rules for administering these divisions are under ORC 711.24.
- E – Created re-subdivision plat requirements.

Mr. Webster stated the township trustees have also been advised of these subdivision regulation changes.

Mr. Radachy stated the Prosecutor's Office had reviewed the subdivision regulation changes with only one major change to Article III, Section 10 B 4. It will be changed to read as follows:

The proposed division of land shall be approved by the Lake County General Health District in cases where there is no sanitary sewer. The owner shall obtain approval for Household Sewage Disposal Systems (HSDS)(septic tanks) and the inspection of private water systems from the Lake County General Health district (LCGHD) for the minor subdivision being applied for and the remainder. A LCGHD verification letter must be submitted as part of the application. If the proposed split cannot accommodate HSDS, the split will be denied.

Staff stated the Health District cannot make availability of water an approval issue because water can be trucked to the site. Because of this, the requirement of "well water determination" is recommended to be deleted from the regulations as it cannot be enforced.

Further discussion of the changes ensued on Article III, Section 10E as follows:

Mr. Siegel stated he would like to see industrial sublots be made an exception in the re-subdivision process. He felt the additional requirements could add as much as a month to the timing for this process and possibly cause a community to lose a proposed industrial deal when negotiating because other states and communities are usually competing for the same industrial prospects. The added time could make or break a deal.

Mr. Radachy stated that only staff currently reviews this process. The new process would also include the Sanitary Engineer, General Health Department, Lake County Building Inspector, Utilities Department and any other agencies involved in the split.

Mr. Schaedlich said he liked the process. Everyone is notified and it limits some of the problems with other agencies finding out after the problems occur.

Mr. Zondag said he was not in favor of exempting industrial subdivisions because it sets a precedence that can become a problem in the future.

Vice-President Siegel read the letter of support submitted by the County Engineer.:

"I have reviewed the regulation changes to Article III Section 10 B and addition of Article III Section 10 E. I agree and I would like to recommend that the Lake County Planning Commission adopt the changes to Subdivision Regulations. The changes are consistent with the survey requirements in the Ohio Administrative Code and the Ohio Revised Code. The changes also follow proper surveying techniques."

Mr. Siegel asked for comments from the audience in favor of these amendments and objecting to these amendments. There were no comments.

Mr. Schaedlich moved to adjourn the Public Hearing at 6:47 p.m. and Ms. Hausch seconded the motion.

All voted "Aye".

Timothy C. Brotzman, Chairman

Darrell C. Webster, Director/Secretary